

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, SEPTEMBER 25, 2007
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:19 p.m.

Mayor Green reported a unanimous vote had been taken earlier in Closed Session approving a Memorandum of Understanding for the Management Employee Group.

I.a Pledge of Allegiance – Mayor Green led the salute to the flag.

I.b Roll Call

Present: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Navarro,
Mayor Green

Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Presentation of *Helen Putnam Award of Excellence*, in Recognition of the Remediation and Development of the Pacific States Steel Corporation property, by League of California Cities Regional Representative Eric Figueroa

League of California Cities Regional Representative Eric Figueroa presented the *Helen Putnam Award of Excellence* to Mayor Green and the Council. The award was given in recognition of the Pacific States Steel Corporation Environmental Cleanup and Development. The Mayor and Councilmembers received the award and expressed appreciation for all of the contributions made over the years by current and former elected officials, volunteers, contractors and staff. City Manager Cheeves expressed his appreciation for the award and acknowledged the team work and contributions made by all departments. Mayor Green acknowledged and thanked present and former Council Members and staff, as well as a variety of other public agencies and Special Master of the Federal Court for their work in making this project a success.

Mayor Green invited everyone present to attend a reception in the lobby of City Hall, and recessed the regular meeting at 7:30 p.m.

Mayor Green reconvened the regular Council meeting at 7:45 p.m.

IV. ORAL COMMUNICATIONS

Helen Kennedy, President of the Union City 50th Celebration Committee, provided a brief update on fundraising efforts, and distributed commemorative pins to the Mayor and Councilmembers.

Norma Braswell stated her husband had been recently assaulted and expressed concern about the rising crime rate and a need for increased security around BART. Police Chief Stewart stated patrols were ongoing to help deter crime.

Syeda Yunis, President of the League of Women Voters for Fremont-Newark-Union City, extended an invitation for all to join their 50th anniversary dinner celebration scheduled for October 27, 2007.

Mattie Rousseau expressed her appreciation for staff recently locating and delivering an award she had received from the City Council in 1994.

Theresa Dahdouh requested a photo opportunity with the Council for her daughter Sarah, a 2007 NCAL Preteen Queen in the Miss California pageant.

V. CONSENT CALENDAR

It was moved by Councilmember Dutra-Vernaci, seconded by Vice Mayor Navarro, to approve Consent Items 5.a through 5.d, and items 5.f through 5.h, as recommended by staff. Motion carried unanimously.

- 5.a Motion to Waive Further Reading of Proposed Ordinance (This permits reading the title only in lieu of reciting the entire text of any proposed Ordinance)
- 5.b Approved Minutes for the Regular Meeting of September 11, 2007
- 5.c Adopted **Resolution No. 3426-07** Appointing Chaitali Nadig to the Human Relations Commission
- 5.d Adopted **Resolution No. 3427-07** Rejecting bids for the Purchase of One (1) Fire Department Sports Utility Vehicle (SUV), City Project No. 07-17
- 5.f Adopted **Resolution No. 3428-07** Accepting Work for Appian Way Median Improvements, City Project No. 06-11
- 5.g Adopted **Resolution No. 3429-07** Awarding a Contract for the Purchase of Six (6) Patrol Cars for the Police Department, City Project No. 07-16
- 5.h Council supported the Altamont Pass Alternative for High-Speed Train (HST), and authorized staff to prepare a letter to submit to California High-Speed Rail Authority and MTC, for the Mayor's signature, on the Council's behalf.

Consideration of Item 5.e removed from the Consent Calendar.

Councilmember Valle recused himself from consideration of Consent Item 5.e, citing a potential conflict of interest as an employee of Tri-CED Recycling, and exited the Council Chambers at 8:02 p.m.

- 5.e Adopt Resolution Authorizing an Agreement Between the Cities of Newark and Union City and BLT Enterprises of Fremont, L.L.C. for Transfer Services

It was moved by Vice Mayor Navarro, seconded by Councilmember Fernandez, to adopt **Resolution No. 3430-07** authorizing an Agreement between the Cities of Newark and Union City and BLT Enterprises of Fremont, L.L.C. for Transfer Services.

Ayes: Councilmembers Dutra-Vernaci and Fernandez, Vice Mayor Navarro, Mayor Green.
Noes: None
Absent: Councilmember Valle (recused)
Abstain: None

Councilmember Valle returned to the Council Chambers at 8:03 p.m.

VI. PUBLIC HEARINGS - None

VII. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Approving Funding Obligation to BART and Award Contract for the Union City Intermodal BART Station Improvements Project

Public Works Director Cheng presented the staff report and responded to questions from Councilmembers.

It was moved by Council/Agency Member Valle, seconded by Council/Agency Member Fernandez, to:

- adopt City Council **Resolution No. 3425-07** approving funding obligation to BART for BART contract award for the Union City Intermodal Station Phase One BART Contract No. 2 BART Station Improvements; and
- adopt **Community Redevelopment Agency Resolution No. 368-07** approving funding obligation to BART for BART contract award for the Union City Intermodal Station Phase One BART Contract No. 2 BART Station Improvements.

Motion carried unanimously.

- 7.b Discussion and Direction on a Collaborative Effort with Alameda County Concerning the Alameda Creek Property Located to the West of Union City Boulevard (Horse Stable Area)

Deputy City Manager Acosta presented the staff report and responded to questions from Councilmembers. The Mayor and Councilmember's commented that a hazardous condition currently exists on the property; a higher and better use for the property is needed; and, a county/city collaborative effort is needed to consider potential uses - such as an equestrian component (including the marketability of resulting horse manure), day camp, recreational activities, and possible fire training facility. It was noted that several County Supervisors were likely interested in developing the site, and

had expressed an interest in receiving a proposal or development plan from the City of Union City.

Barry Ferrier and Bill Beaton spoke in favor of reinstating an equestrian use for the property, as well as other potential uses which might benefit the community. Hugh McNamara spoke about the problems associated with abandoned buildings.

The City Council provided staff with direction to proceed with establishing a collaborative relationship and effort with Alameda County to foster continued public access and use of the County's Alameda Creek property located west of Union City Boulevard. Staff will return to the Council with an update by the November 27, 2007 Council meeting.

- 7.c Fiscal Year 2006-07 Report on Budget to Actual Results; Budget Adjustments for FY 2006-07 and Check Disbursement Listing for the period April 1 through June 30, 2007

Administrative Services Director Digre presented the staff report and responded to questions from Councilmembers.

It was moved by Councilmember Valle, seconded by Councilmember Dutra-Vernaci, to accept the report and adopt **Resolution No. 3431-07** amending expenditure appropriations and revenue estimates for Fiscal Year 2006/07. Motion carried unanimously.

Mayor Green recessed the meeting at 8:58 p.m. to accommodate Ms. Dahdouh's request for a photograph to be taken with Councilmembers.

Mayor Green reconvened the meeting at 9:00 p.m.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. ORAL COMMUNICATIONS - None

XII. SCHEDULED ORAL COMMUNICATION - None

XIII. ITEMS REFERRED BY COUNCIL

- 13.a Oral Reports by Mayor and Councilmembers on meetings of County or Regional Boards and Commissions

Vice Mayor Navarro stated he had attended a multi-denominational event at the Buddhist Church.

Councilmember Fernandez stated he had attended a joint meeting with the NHUSD Board where discussions included issues related to school traffic congestion and safety.

Mayor Green stated he would be attending a CMA meeting on Wednesday to discuss transportation dollars for the Tri-City area.

XIV. GOOD OF THE ORDER

Councilmember Dutra-Vernaci stated the faith-based event held on September 15 for the Union City 50th Anniversary Committee was very successful.

Councilmember Valle expressed his appreciation to the Police Department Cadets for their assistance with the compost give-a-way event.

Councilmember Fernandez expressed an interest in having a Council retreat scheduled before the end of the year. Councilmembers concurred and will provide available dates to the City Manager.

Vice Mayor Navarro announced the Fall Festival was scheduled for September 30, 2007 at Old Alvarado Park.

Vice Mayor Navarro requested a status update regarding Option 2. Public Works Director Cheng stated ACTA had awarded a consultant contract for the environmental study and engineering design. A public scoping meeting is planned for the end of October, after which staff would be bringing recommendations back to the City Council.

Mayor Green stated MTC was undertaking a study to provide congestion relief by possibly eliminating toll bridges and utilizing more FasTrak lanes.

Mayor Green adjourned the regular meeting back to Closed Session at 9:15 p.m.

XV. CLOSED SESSION – Consideration of Item V continued from the 6:00 p.m. Closed Session. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to section 54956.8 of the Government Code)

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| Property: | The block bounded by Mission Boulevard, Second Street, D Street, and E Street, APN 486-0003-034-01, APN 486-0003-030-00, APN 486-0003-035-00, APN 486-00003-028-00, APN 486-00003-029-00 |
| Agency negotiators: | Mark Leonard, Mark Evanoff (Seller) |
| Negotiating party: | The Olson Company (Buyer) |
| Under negotiation: | Price and terms |

XVI. ADJOURNMENT

Mayor Green adjourned the Closed Session at 9:35 p.m.

Respectfully submitted,

Renee Elliott
City Clerk